

A. G. Contract No KR00 1286TRN  
ADOT ECS File: JPA 00-106  
Project: F-082-A-500/H5343 01C  
Section: Patagonia Lake State Park

INTERAGENCY AGREEMENT  
BETWEEN  
THE ARIZONA DEPARTMENT OF TRANSPORTATION  
AND  
THE ARIZONA STATE PARKS BOARD

THIS AGREEMENT is entered into 6 October, 2000, between the agencies of the STATE OF ARIZONA, to wit; the DEPARTMENT OF TRANSPORTATION (the "ADOT") and the ARIZONA STATE PARKS BOARD, acting by and through its Executive Director (the "Parks Board").

I. RECITALS

1 The ADOT is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the ADOT.

2 The Parks Board is empowered by Arizona Revised Statutes Section 41-511.05 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Parks Board.

3 The ADOT and the Parks Board desire to construct roadway improvements to Patagonia Lake State Park, including a section of new park access road, widening a section of the existing park access road, improvements to park interior roads and parking areas, widening existing roads and parking areas, and applying pavement preservation measures to the existing roads and parking areas, at an estimated cost of \$1,100,000 00, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

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NO. 24260  
Filed with the Secretary of State  
Date Filed: 10/06/00  
Petrey Bayless  
Secretary of State

By Vicki D. Gruenewald

## II. SCOPE OF WORK

1. According to ADOT standards and specifications, and at its own cost, ADOT will design, call for bids and award one or more construction contracts for the Project, administer same and make all payments to the contractor. ADOT will be responsible for any contractor claims for extra compensation on the Project.

2. The work includes, but is not limited to a section of new park access road, widening a section of the existing park access road, improvements to park interior roads and parking areas, widening existing roads and parking areas, and applying pavement preservation measures to the existing roads and parking areas. The estimated cost of these improvements is \$1,100,000.00.

3. ADOT may acquire in the name of the Parks Board additional rights of way as may be required for the Project, and, the Parks Board hereby authorizes ADOT to condemn rights of way in the name of the Parks Board, as necessary to accomplish said acquisition(s). The Parks Board shall accept any right of way for the Project acquired by ADOT as part of the State Park system.

4. Upon completion and acceptance of the Project by ADOT, maintenance and operation of the Project within the park shall be the sole responsibility of the Parks Board.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a Project construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Arizona State Parks Board  
Development Contract Manager  
1300 West Washington Street  
Phoenix, AZ 85007

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

STATE OF ARIZONA  
State Parks Board

By   
KEN TRAVOUS  
Executive Director

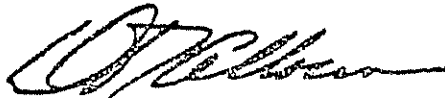
STATE OF ARIZONA  
Department of Transportation

By   
CATHERINE J. HEGEL  
Contract Administrator

RESOLUTION

BE IT RESOLVED on this 24th day of July 2000, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Arizona State Parks Board for the purpose of defining responsibilities the design, construction and maintenance to improvements to Patagonia Lake State Park.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Contract Administratore for approval and execution.



DAVID R. ALLOCCO, P.E.  
Assistant State Engineer  
Engineering Technical Group  
for Mary E. Peters, Director

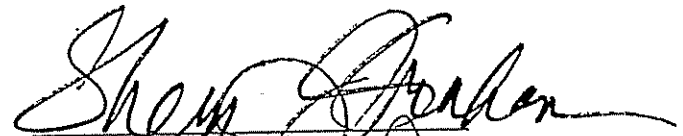
RESOLUTION NO. 160  
By the Arizona State Parks Board  
Authorizing the Execution of the Interagency Agreement  
with the Arizona Department of Transportation

Under powers granted to the Arizona State Parks Board by ARS 41-511.05, BE IT RESOLVED on this 18th day of November 1999, that the Arizona State Parks Board determines it is in the best interest of the State of Arizona to enter into an Interagency Agreement with the Arizona Department Of Transportation wherein the Arizona Department Of Transportation will improve various areas within the listed State Parks, including, but not limited to, drainage easements, construction easements, road rights-of-way, and the acquisition of such lands in the name of the Parks Board where necessary to accomplish such improvements. The Parks Board designates as public highways the roads, spurs, and other traffic related appurtenances within the listed state parks for the purpose of constructing improvements under this and subsequent Interagency Agreements.

Therefore, authorization is hereby given to the Arizona State Parks Board's Executive Director, or his designee, to sign said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.

The attached listing is the Arizona Department of Transportation/Arizona State Parks Board road improvement program. The projects listed are scheduled to be initiated within the fiscal year listed.

PASSED, ADOPTED, AND APPROVED by the Arizona State Parks Board on this 18th day of November 1999.



Sheri J. Graham, Chairman



Richard R. Hubbard, Assistant A. G.  
( Approved as to form )

**ADOT/ARIZONA STATE PARK  
ROAD IMPROVEMENT PROGRAM  
FIVE YEAR PLAN - F.Y. 2001-2005  
October 14, 1999, Revised January 28 and May 5, 2000**

F.Y.	PARK	WORK	BUDGET
2001	Jerome	Cst Road, Ph II	\$1,600,000*
	Catalina	Cst Road, Ph III	1,400,000**
	Yuma Prison	Cst Road, Phase II	700,000
	San Rafael	Cst Road	500,000
	Alamo	Design	200,000
	Patagonia Lake	R/W Acquisition	90,000
	Jerome	R/W Acquisition	73,000***
	Statewide	Contingencies	75,000
	Statewide	Design Modifications	50,000
			<u>\$4,688,000</u>
2002	Patagonia Lake	Cst Road, Phase II	\$1,100,000
	Tubac	Design	200,000
	Buckskin Mt. (River Island)	Design	185,000
	Lost Dutchman	Design	185,000
	Lyman Lake	Design	180,000
	Statewide	Contingencies	75,000
	Statewide	Design Modifications	75,000
			<u>\$2,000,000</u>
2003	Alamo	Cst Road, Phase II	1,150,000
	Tubac	Cst Road, Phase II	750,000
	Statewide	Contingencies	50,000
	Statewide	Design Modifications	50,000
			<u>\$2,000,000</u>
2004	Lost Dutchman	Cst Road, Phase II	\$950,000
	Buckskin Mt. (River Island)	Cst Road, Phase II	850,000
	Tombstone Courthouse	Design	100,000
	Statewide	Contingencies	50,000
	Statewide	Design Modifications	50,000
			<u>\$2,000,000</u>
2005	Lyman Lake	Cst Road	\$900,000
	Tombstone Courthouse	Cst Road	450,000
	Patagonia Lake	Design	125,000
	Lake Havasu	Design	125,000
	Tonto Natural Bridge	Design	125,000
	Kartchner Caverns	Design	125,000
	Statewide	Contingencies	75,000
	Statewide	Design Modifications	75,000
			<u>\$2,000,000</u>

\*Reprogrammed from FY2000 to FY 2001

\*\*\$875,000 of funds for this project reprogrammed from FY 2000 to FY 2001

\*\*\*\$63,000 of funds for this project reprogrammed from FY 2000 to FY 2001

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STATE OF ARIZONA

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**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR00-1286TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED: October 2, 2000

JANET NAPOLITANO  
Attorney General

SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:ggt

Enc.

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